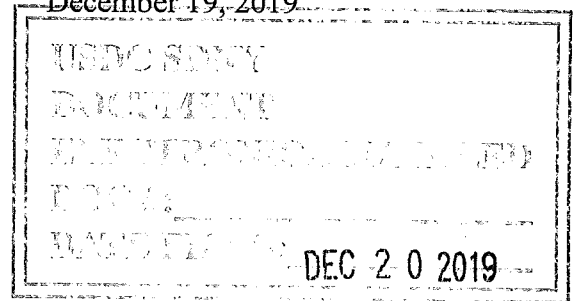


THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

JAMES E. JOHNSON
Corporation Counsel

DAVID S. THAYER
Assistant Corporation Counsel
t: (212) 356-2649
f: (212) 356-1148
e: dthayer@law.nyc.gov

December 19, 2019



Via ECF

The Honorable Alison J. Nathan
United States District Court for the
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Giabourani, et al. v. City Sch. Dist., No. 19 CV 11584 (AJN)

Dear Judge Nathan:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, James E. Johnson, attorney for Defendant City School District of the City of New York ("DOE") in the above-referenced action. I write jointly with Plaintiffs' counsel to respectfully request an adjournment *sine die* of the show cause hearing scheduled for December 20, 2019, at 2 p.m., and a corresponding adjournment or suspension of any deadlines connected to Plaintiffs' recent application for preliminary injunctive relief.

SO
ORDERED

Because DOE has agreed in principle to fund the Student's placement at LearningSpring Elementary School, the parties agree that a temporary restraining order and preliminary injunction are no longer necessary. The parties are presently evaluating whether this agreement in principle resolves the entire action. The parties respectfully propose to provide the Court with a joint status update on January 9, 2020, regarding their views as to the resolution of this action. If the matter is not withdrawn, the parties will propose a plan, jointly if possible, to litigate any remaining issues.

SO
ORDERED

SO ORDERED:

12/20/19

HON. ALISON J. NATHAN
UNITED STATES DISTRICT JUDGE

Thank you for your attention to this matter.

Respectfully yours,

/s/ David S. Thayer

David S. Thayer

cc: ***Via ECF***
Jesse C. Cutler, Esq.
Skyer, Castro, Foley & Gersten
276 5th Avenue
New York, NY 10001
Counsel for Plaintiffs